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IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SAMANTHA SIVA KUMARAN
NEFERTITI RISK CAPITAL MANAGEMENT, LLC
*Plaintiffs,**-against-*
NATIONAL FUTURES ASSOCIATION
TOM KADLEC, CEO OF ADMIS AND
BOARD MEMBER NFA
VILIA SUTKUS-KIELA,
COMPLIANCE OFFICER NFA
NICOLE WAHLS,
COMPLIANCE OFFICER NFA
Defendants

Case: 1:20:CV-03668-GHW-SDA
Judge: Gregory H. Woods
Magistrate: Stewart D. Aaron
**FIRST AMENDED
COMPLAINT
JURY TRIAL DEMANDED**

Pursuant to Federal Rules of Civil Procedure (“FRCP”) 15, reference and the heightened pleading standards of FRCP of 9(b), and incorporating by reference the exhibits under FRCP 10(c), other filings on this docket and related cases via ECF the fraud provisions of the CEA Section 4(b), and pursuant to Section 22(b) of the Commodities Exchange Act, permitting private rights of action by traders against a registered futures association, Plaintiffs Samantha Siva Kumaran (“Kumaran”) a registered commodities trading advisor (“CTA”) and Nefertiti Risk Capital Management, LLC (“NRCM”), a former registered commodities trading advisor CTA, dissolved by reason of the allegations herein, allege for its first amended complaint as follows:

1 - PRELIMINARY STATEMENT

1. This lawsuit arises under Section 22 of the Commodities Exchange Act, and the willful and bad faith failure of the National Futures Association (“NFA”), the sole registered futures association and their compliance officers or Board members, to enforce the numerous of the non-discretionary mandatory compliance laws, bylaws, rules, and regulations under their delegated and statutory authority under 7 U.S.C. 25 compliance rules under the Commodities Futures Trading Commission (“CFTC”, or “Commission”) and Commodities Exchange Act (“CEA” or “Act”).
2. This case stems to the heart of the Commodities Exchange Act (“CEA”), and the non-discretionary, mandatory obligations of the NFA to ensure “fair market competition” and compliance with the rules, regulations of the Commission and NFA’s own bylaws, rules, regulations. NFA’s own